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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

SHARON BARNUM, JERRY P. CABEBE, ROBERT SUSTRIK, and all similarly situated individuals,)	Case No. 2:16-cv-02866-RFB-NJK
)	
Plaintiffs,)	STIPULATION TO REOPEN EXPERT
)	DEADLINES AND EXTEND
vs.)	DISCOVERY DEADLINES
)	
EQUIFAX INFORMATION SERVICES, LLC,)	[Second Stipulation for Discovery Extension]
)	
Defendant.)	

Pursuant to this Court's Order [ECF Dkt. 81], the parties to this action have meet and conferred and stipulate that the Discovery cut-off currently set to close on January 8, 2018, by this Court's Order, ECF Dkt. 63, should be extended 105 days to April 23, 2018. Good cause exists for this extension, namely, to resolve Plaintiffs' Emergency Motion to Extend Close of Discovery and Reopen Expert Deadlines (the "Emergency Motion") [ECF Dkt. 75, 76], without

1 requiring Court intervention. The extension would allow 45 additional days to conduct fact dis-
2 covery, and it would reopen the initial and rebuttal expert deadlines.

3 **I. Statement of Discovery Completed**

4 This is the second stipulation to continue the class certification briefing schedule. The
5 stipulation is filed in good faith and is not intended to cause delay.

- 6 1. On February 28, 2017, the Court entered its Initial Scheduling Order and Protective
7 Order.¹ The Scheduling Order set discovery to close on August 7, 2017.²
- 8 2. On May 22, 2017, the Court granted the parties first stipulation to extend discovery 90
9 days.³ This set the discovery deadline to its previous close on November 8, 2017.
- 10 3. On October 20, 2017, the court granted a 60-day extension of discovery, setting the
11 current close of discovery at January 8, 2018.
- 12 4. On November 15, 2017 Plaintiffs deposed Alicia Fluellen, Equifax's 30(b)(6) witness.
- 13 5. On November 29, 2017, Plaintiffs served Equifax with their First Set of Requests for
14 Admissions, and First Supplemental Interrogatories and Requests for Production.
- 15 6. On December 7, 2017, nonparty Fidelity Information Services ("FIS") produced
16 documents in response to a subpoena Plaintiffs served on November 17, 2017.
- 17 7. On December 13, 2017, Plaintiffs deposed Equifax's second 30(b)(6) witness, Margaret
18 Leslie.
- 19 8. On December 18, Plaintiffs filed the Emergency Motion.
- 20 9. On December 19, the Court entered an Order requiring the parties to conclude their
21 efforts to meet and confer regarding a stipulation extending discovery, which would
22 resolve Plaintiffs' Emergency Motion and to submit a stipulation no later than December
23 20, 2017.
- 24 10. On December 19 and 20, counsel for the parties conferred by email, exchanging

25 ¹ ECF Nos. 19 & 21, respectively.

² ECF Dkt. No. 10 at 2.

³ ECF Dkt. No. 31 (entering Stipulation to Extend, ECF. No 30).

1 proposals for a stipulation that would resolve Plaintiffs' Emergency Motion. On
2 December 20, the parties reached an agreement on the relief set forth herein.

3 **II. Statement of Discovery Remaining to be Completed**

4 Equifax and Plaintiffs have agreed to conduct additional fact discovery for 45 days, to be
5 followed by 60 days of expert discovery. Pursuant to the Court's Order [ECF Dkt. 82] the
6 parties are completing a meet and confer process by Friday, December 22, 2017, which will
7 culminate in a joint statement regarding certain discovery requests to Equifax that remain in
8 dispute and require the Court's assistance in order to reach a resolution, to be filed by
9 December 29, 2017. Plaintiffs intend to disclose experts in computer forensics and forensic
10 accounting, as additional fact discovery and this Court's order on the forthcoming Joint
11 Statement may require. Plaintiffs also anticipate continuing Equifax's 30(b)(6) witnesses for
deposition, and if needed, deposing FIS's 30(b)(6) witness.

12 **III. Reason Discovery Has Not Been Completed**

13 Plaintiffs recently received the FIS Production that formed the basis of their Emergency
14 Motion. Plaintiffs incorporate by reference their positions in that Motion as though more fully
15 set forth herein. Equifax disagrees with the facts as set forth in Plaintiffs' Emergency Motion
16 and disagrees that Plaintiffs were entitled to any of the relief sought in the Emergency Motion.
17 Nevertheless, in an effort to compromise and to obviate the need for the Court to resolve another
dispute about the length of discovery, Equifax agreed to the relief set forth in this Stipulation.
It is so stipulated.

18 **IV. Proposed Amendments to Scheduling Order**

19 The parties agree that discovery will be extended (105) days, and the scheduling order
20 deadlines will be extended to the following:

21 (1) Discovery Cut Off: April 23, 2018.

22 (2) Initial Expert Disclosures: February 23, 2018.

1 (3) Rebuttal Expert Disclosures: March 23, 2018.¹

2 (4) Dispositive Motions and Motion for Class Certification and Appointment of Class
3 Counsel: on or before May 23, 2018.

4 (5) Responses to Dispositive Motions and Motion for Class Certification and Appoint-
5 ment of Class Counsel: on or before June 22, 2018.

6 (6) Replies in Support of Dispositive Motions and Motion for Class Certification and
7 Appointment of Class Counsel: on or before July 23, 2018.

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24 ¹ March 24, 2018 is a Saturday.

1 Dated: December 20, 2017

3 /s/ Matthew I. Knepper
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*Attorneys for Defendant EQUIFAX
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19 **ORDER**

20 IT IS SO ORDERED:

21 
22 United States Magistrate Judge

23 DATED: December 21, 2017
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